

06-05-01

PTO
S-3881
06/04/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 1.53(b))

Attorney Docket No.	18617.NEW
First Inventor	Scott, et al
Title	Recombinant Multivalent Viral Vaccine
Express Mail Label No.	EE209745965US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Assistant Commissioner for Patents

ADDRESS TO: Box Patent Application
Washington, D.C. 20231

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See CFR 1.27.
3. Specification [Total Pages / 43 /]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 USC 113) [Total Sheets / 7 /]
5. Oath or Declaration [Total Pages / 5 /]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Other: Check in the amount of \$355; Request and Certification Under 35 U.S.C. 122 (b) (2) (B) (i)

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of the prior application No: 08/552,369

Prior application information: Examiner: Laurie Scheiner

Group/Art Unit: 1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

NAME	Ranjana Kadle				
	Hodgson Russ LLP				
ADDRESS	One M&T Plaza, Suite 2000				
CITY	Buffalo	STATE	New York	ZIP CODE	14203-2391
COUNTRY	United States of America	TELEPHONE	(716) 856-4000	FAX	(716) 849-0349

"Express Mail" Mailing Label Number EE209745965USDate of Deposit June 4, 2001

FEE TRANSMITTAL for FY 2001

Patent Fees are subject to annual revision.

Application Number		
Filing Date		June 4, 2001
First Named Inventor		Scott, et al
Examiner Name		
Group/Art Unit		

TOTAL AMOUNT OF PAYMENT	(\$ 355.00)	Attorney Docket Number	18617.NEW
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		3. ADDITIONAL FEES					
Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgson Russ LLP</u>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		105	130	205	65	Surcharge - late filing fee or oath	\$
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		139	130	139	130	Non-English specification	\$
FEE CALCULATION		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1. BASIC FILING FEE		112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$
Large Entity Small Entity		113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$
Fee Code (\$)	Fee Code (\$)	Fee Paid					
101 710	201 355	Utility filing fee	\$ 355	115	110	215	55
106 320	206 160	Design filing fee	\$	116	390	216	195
107 430	207 245	Plant filing fee	\$	117	890	217	445
108 710	208 355	Reissue filing fee	\$	118	1,390	218	695
114 450	214 75	Provisional filing fee	\$	128	1,890	228	945
SUBTOTAL (1)		\$ 355	119	310	219	155	Notice of Appeal
2. EXTRA CLAIM FEES		120	310	220	155	Filing a brief in support of an appeal	\$
Total Claims / / - 20** = / / x / / =		\$	121	270	221	135	Request for oral hearing
Independent Claims / / - 3** = / / x / / =		\$	138	1,510	138	1,510	Petition to institute a public use proceeding
Multiple dependent / / x / / =		\$	140	110	240	55	Petition to revive - unavoidable
Large Entity Small Entity		141	1,240	241	620	Petition to revive - unintentional	\$
Fee Code (\$)	Fee Code (\$)	Fee Paid					
103 18 203 9	Claims in excess of 20	143	440	243	220	10 advance copies Utility issue fee (or reissue)	\$
102 80 202 40	Independent claims in excess of 3	144	600	244	300	Design issue fee	\$
104 270 204 135	Multiple dependent claim if not paid	122	130	122	130	Plant issue fee	\$
109 80 209 40	**Reissue independent claims over original patent	123	50	123	50	Petitions to the Commissioner	\$
110 18 210 9	**Reissue claims in excess of 20 and over original patent	126	180	126	180	Processing fee under 37 CFR 1.17(q)	\$
SUBTOTAL (2)		\$ 0	581	40	581	40	Submission of Information Disclosure Statement
SIGNATURE: <i>John Wile</i>		146	710	246	355	Recording each patent assignment per property (times number of properties)	\$
Ranjana Kadle Reg. No. 40,041		149	710	249	355	Filing a submission after final rejection(37 CFR 1.129(a))	
DATE: June 4, 2001 Telephone: (716) 848-1628		179	710	279	355	For each add'l invention to be examined(37 CFR 1.129(b))	
Express Mail" Mailing Label Number: EE209745965US		169	900	169	900	Request For Continued Examination (RCE)	
Date of Deposit June 4, 2001		*Reduced by basic filing fee paid				SUBTOTAL (3)	\$ 0

REQUEST AND CERTIFICATION		First Named Inventor	Scott, et al
UNDER		Recombinant Multivalent Viral Vaccine	
35 U.S.C. 122(b) (2) (B) (i)		Atty Docket Number	18617.NEW

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 4, 2001
Date


Signature

Ranjana Kadle
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b) (2) (B) (iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott, et al

Serial No.: Not yet assigned

Filed: Herewith

For: Recombinant Multivalent Viral Vaccine

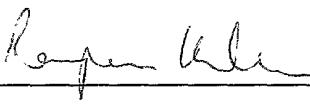
LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant declares that the Paper Copy of the Sequence Listing and the Computer Readable Copy filed with the above-referenced patent application are the same.

Respectfully Submitted,



Ranjana Kadle

Reg. No. 40,041

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June 4, 2001